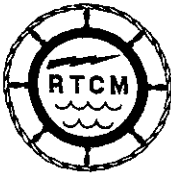


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*Radio Technical Commission for Maritime Services**1800 N Kent St., Suite 1060**Arlington, Virginia 22209-2109**www.rtcn.org**rmarkle@rtcn.org*

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY*Telephone: +1-703-527-2000**Telefax: +1-703-351-9932*

**Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554**

In the Matter of)	
)	
MariTEL, Inc petition for declaratory ruling)	DA-3585
)	
and)	RM-10821
)	
National Telecommunications and)	
Information Administration petition for)	
Rulemaking)	
)	November 28, 2003
regarding)	
)	
the use of maritime VHF channels 87B and)	
88B)	
)	

**COMMENTS OF THE RADIO TECHNICAL COMMISSION FOR MARITIME
SERVICES (RTCM)**

The Radio Technical Commission for Maritime Services (RTCM) respectfully submits these comments in response to the request for comments in the Commission's Public Notice released November 7, 2003, regarding MariTEL's petition for declaratory ruling and National Telecommunications and Information Administration petition for Rulemaking regarding the use of maritime VHF channels 87B and 88B

File of Comments received 0
List Attached

RTCM is a non-profit organization whose objectives include studying and preparing reports on maritime telecommunications practices, needs and technologies with a view toward improving the efficiency and capabilities of maritime telecommunications services, suggesting ways to keep rules and regulations to the minimum essential for effective maritime telecommunications and making recommendations on important issues involving maritime telecommunications

Although MariTEL, Inc is a member of RTCM, it is the sense of this organization that MariTEL's petition should not be granted. The use of channels 87B and 88B for Automatic Identification System (AIS) transmissions is in the public interest. These frequencies have been designated internationally as the two frequencies that should be used for AIS on a global basis. The AIS system has been identified as an important component of the U.S. maritime transportation safety initiative. Ships from all over the world call at U.S. ports and sail through U.S. waters, and will be equipped with AIS systems that will default to operation on Channels 87B and 88B. They must be able to function in the national AIS system as seamlessly as possible, and the necessity to switch to other channels would raise needless complexity and compatibility issues. We therefore support the petition of the National Telecommunications and Information Administration (NTIA) regarding allocation of channels 87B and 88B.

In coming to this conclusion, RTCM has considered the following

- Unfortunately, MariTEL's VHF Public Coast (VPC) service has not been successful. Build-out has not been completed on schedule, and MariTEL has voluntarily

terminated VPC operations, so MariTEL has no current commercial operations on Channel 87B to protect.

- MariTEL has claimed in other statements that interference from AIS operations on Channel 88B would make Channel 87B unusable. There is no reason to believe that AIS transmissions will cause more interference on adjacent channels than other types of transmissions.

- As a condition of FCC Auction 20, the winner (MariTEL) was required to allocate spectrum (by agreement with the U.S. Coast Guard) from the VPC service for AIS. The FCC stipulated (as terms of the auction) that, in the event that the USCG and the auction winner failed in their negotiations for AIS frequency designation, the FCC would designate the AIS frequencies. Thus, failure to negotiate agreeable terms with the USCG does not give MariTEL rights to the AIS frequencies.

- Neighboring countries will be using channels 87B and 88B for AIS operation. Forcing AIS operation in the U.S. on other channels could lead to difficult operational situations in security-critical border areas with busy maritime operations, such as San Diego, Puget Sound, and the Caribbean.

For these reasons, RTCM recommends denial of MariTEL's petition, and granting of the NTIA petition.

For the Radio Technical Commission for Maritime Services



R. L. Markle
President